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14 DEC 1977

MEMORANDUM FOR THE RECORD

SUBJECT: Telephone Conversation with the President
on the Executive Order, 13 December 1977

1. The President indicated he had been reviewing the Executive Order in detail and had a memorandum from Brzezinski analyzing his concerns with the Order. The President indicated he did not agree with all of Brzezinski's positions.

2. The first item he raised was paragraph 2.g.(3) concerning the position of the GDIP in the NFIP. He suggested that the GDIP be in the program if agreed by myself and the Secretary of Defense, but if there was disagreement it be resolved by the President. I countered and said I thought it should be treated like the CCP and others in the previous paragraph such that we had everything in the program positively that is presently in it and negotiated anything out including resolution by the President if there were disagreements on what should come out. The President indicated he agreed with that and felt the GDIP should go into the previous paragraph.

3. The President then discussed paragraph 3.b.(1)iv. -- page 7 -- which he indicated had provision for the PRC reviewing the program and budget of the NFIP. I told him that it seemed to me this contravened the Presidential decision which provided for the DCI having full and exclusive control of the preparation of the budget and its submission through OMB to the President. If the PRC got back in this act, I would have lost the principal advantage that the Presidential decision gave me with respect to the budget. I pointed out that no other department's budget went through the PRC en route to the President. The President countered and said that the Defense budget did; he was getting recommendations from the NSC. I said that I had not known of any NSC or PRC meetings on the Defense budget and thought he was getting recommendations from the NSC staff which he also did on the intelligence budget. He concurred with that. He wondered if it would be satisfactory to have this read that the members of the PRC were entitled to send their comments to the President. I said certainly they had that anyway.

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4. The President discussed the provision for prohibition in one of the paragraphs about membership in U.S. organizations by intelligence people unless they reveal their standing. I explained our opposition to this on the grounds that some of our people were under cover and could not reveal their true place of employment and yet needed to participate in organizations. The President asked me what were the rules today for such participation and I said that the rule was we didn't in any way try to use or influence the organizations for our purposes simply to participate in their activities and gain information of a professional nature. The President wondered if we shouldn't just drop this particular prohibition completely as being too restrictive. I said I thought it would be a good idea.

5. The President called me back a few minutes later and asked about another paragraph in which an NSC observer would be present at all NFIB meetings on production, review and coordination of national and foreign intelligence programs. I told him I thought this was undesirable because there should not be a mixing of intelligence production and policy-makers, and it would appear even if they were there only as observers that they were there to influence or intimidate. The President seemed to agree.

STANSFIELD TURNER
Director

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